



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,751	08/30/2001	Takashi Hasegawa	NIT-300	7382

7590 05/17/2006

MATTINGLY, STANGER & MALUR, P.C
ATTORNEYS AT LAW
SUITE 370
1800 DIAGONAL ROAD
ALEXANDRIA, VA 22314

EXAMINER

CHOWDHURY, NIGAR

ART UNIT PAPER NUMBER

2621

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,751	HASEGAWA, TAKASHI	
	Examiner	Art Unit	
	Nigar Chowdhury	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed February 27, 2006 have been fully considered but they are not persuasive.
2. In re pages 9-10, applicant argue that Squilla merely discloses that a camera holds personal information of a user which is much different from receiving privileged service from an attraction system based upon information that was previously recorded in a portable recording medium that corresponds to that attraction system and Squilla fails to teach that the privileged service is carried out based on the viewing- and- listening information as recited in independent claims 1 and 12.
3. In response, the examiner respectfully disagrees. Squilla et al discloses from Col. 6 line 63- Col. 7 line 12, that " The personality file contains a collection of information designed to inform an image spot about a visitor's particular interests, and may include the following:
 - Names of family members
 - Names of other important individuals
 - Addresses, phone numbers, E-mail address
 - Ages (birth dates) of people in the file
 - Educational backgrounds
 - Specific interests – historical, natural, artistic, etc.

Art Unit: 2621

CPU at home/office

Computer capability of named individuals

Internet ion-line capability (including E-mail)

Purpose of the current visit

Interest in movie snippets

Interest in sound bites".

It is not that the personality file of Squilla et al anticipated the claimed "viewing-and-listening information" because personality file is used to play back the recorded video and audio files so that the audio and video file can be heard and viewed by the user and privileged service of Squilla (which disclosed in Col. 8 line 49-56) is based on this personality file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2621

5. Claim 1-5, 7-10, 14 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No.6396537 by John R. Squilla.

6. Squilla clearly shows a cooperation service method of associating that includes all the limitations recited in claim 1.

- A portable recording medium (see Fig. 1 (24), Col. 2 line 32-37. A camera, which takes images in the attraction and outside of the attraction.)
- Read the recorded medium (Col.2 line 60-64. Recorded item can easily accessed when user want)
- Privilege service of the attraction system (Fig. 4 (112, 114, 116, 118), Col. 8 line 49-56. URL and e-mail address give privilege to other people to read the information.)

7. Claim 2 introduces a transmission path, contents receiver, received contents allowed to be viewed and listened to. Squilla teaches a wireless transmission link between the camera and the image spot (Fig. 1(60), Col. 4 line 54-58) to transform the images from camera to the computer, the lens of camera that received images (Fig. 1(28), Col.4 line 26-29), contents viewed and listened by the liquid crystal display (Fig.1 (50), Col.4 line 35).

8. Claim 3 limits claim 1 by including at least one of the viewing-and-listening histories in the recorded medium. Squilla shows a recorded medium, which is a

Art Unit: 2621

camera, can communicate with one or more attraction sites (Col.2 line 46-49). It means camera can have at least one images and sounds.

9. In claim 4, applicant introduces personal information to the combination of claim 3. Squilla shows a personality file which contain personal information such as " name of family members", " names of other important individuals", etc (Fig.1 (52), Col. 6 line 63-67 and Col.7 line 1-13)

10. Claim 5 introduces privilege services, which performs a different operation than usual operation to the combination of claim 1. Contents can be usually downloaded to the camera and can be viewed and listened to the camera's LCD screen. Alternatively, download the URL address to camera to retrieve the content later on or download the e-mail address to the image spot to send the content to the e-mail (Fig. 4 (112, 114, 116, 118), Col.8 line 49-56).

11. Claim 7 limits claim 3 by adding the number of times of viewing and listening. Squilla teaches a camera, which uploads the content after data is chosen (Col. 8 line 45-49). So it will be easy to see how many times images and sounds are viewing and listening.

12. Claim 8 introduces privilege information that can be either an expiration date or content relating to the privilege or message relating to the privilege combination of claim 3. Squilla teaches URL address (Fig.4 (112)), which is

Art Unit: 2621

privilege message for the data can be stored in the respective memory and the data may be downloaded via the internet at a later time. It can direct the user to get more information via the internet. Squilla also teaches e-mail address (Fig.4 (116)), which can be downloaded at the image spot. It is also easy to send content to the e-mail address for user's benefit.

13. Claim 9 introduces personal information, which will include at least one of the name, sex, age, and favorite character to the combination of claim 4. Squilla shows personal information which include a name and age (Fig. 1 (52), Col. 6 line 65-67 and Col. 7 line 2).

14. Regarding claim 10, Squilla clearly shows a portable recording medium, a portable camera, which records images and sounds related to the attraction (Fig. 1 (24), Col. 2 line 32-35).

15. Referring claim 14, the cooperation service method according to claim 1, wherein the step of recording is performed at a first location and the step of reading is performed at a second location being remote from the first location (See Col. 2 line 47-49, 60-64, Col. 4 line 54-58. Each camera is interconnected to each other via wireless link and camera is transferring documents from one place to another place).

Art Unit: 2621

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6396537 to John R. Squilla, in view of U.S. Patent No. 5021878 to Victor H. Lang as set forth in the last office action.

17. Regarding claim 6, Lang teaches an animated character, which can listen and view the images in front of character and also can talk to the audience through the headphone and microphone (Col.1 line 51-55) in the attraction site. However, Squilla teaches a portable recording medium, camera, which can take and store the images from attraction site. Squilla fails to teach a character, which can talk to viewer and listener. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a character that can talk to the viewer and listener, can give the answer of the question if audience have any, and also audience can enjoy with the character when character talks to them.

Art Unit: 2621

18. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5021878 to Victor H. Lang, in view of U.S. Patent No. 6396537 to John R. Squilla as set forth in the last office action

19. Regarding claim 12, Lang teaches an animated character that can be use for performing an attraction (Col. 3 line 59, 60). However, Squilla fails to teach a character for performing and attraction. Squilla shows input equipment that input the viewing and listening information from recording medium (Fig. 2 (10, 70), Col. 4 line 54-58 and Col. 6 line 7-19). In Fig. 2(10) shows an attraction site that has a computer and wireless communication system to communicate with the camera through wireless link 60. Computer is an input equipment to input the information from camera. In Fig. 2 (70) shows a image server which includes input device a printer 80, compact disks, digital video disks, e-mail interface 93, custom album processor 94 to input the viewing and listening information from camera through wireless link 74b. Squilla also teaches a privilege service URL address and e-mail address (Fig. 4 (112, 114, 116, 118) that carries out based on the information input by the information input equipment. However, Lang does not teach the input equipment for inputting viewing and listening information, and also a privilege service that carries the information relating to the content.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have an attraction device for performing an attraction in the attraction site to entertain the viewer and listener with it; a information input equipment, computer, printer, CDs, DVDs, etc. for inputting

Art Unit: 2621

viewing and listening information from camera to store the images for further use; a privilege service, URL and e-mail address carried out based on the information which is inputted by the information input equipment to get those information via the internet for user's convenient.

20. Claims 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6396537 to John R. Squilla, in view U.S. Patent No. 5021878 to Victor H. Lang as set forth in the last office action.

21. Claim 13 limits claim 12 by including at least one of a viewing and listening history in the recorded medium and privilege service carries out relating to the content. Squilla clearly shows in Col.2 line 47-49 that camera can communicate one or more attraction site and in Col.8 line 50-56 shows a privilege service URL, e-mail address are carrying out related to the content of the camera. Lang fails to teach that animated character would have at least one of a viewing and listening information recorded. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include at least one of the viewing and listening history in the recorded medium to view the history in the attraction.

22. Referring claim 15, the attraction system according to claim 12, wherein the recording medium has the viewing and listening information recorded thereon at a first location and wherein attraction device is located at a second location

Art Unit: 2621

that is remote from the first location. Squilla teaches in Col. 2 line 47-49, 60-64, Col. 4 line 54-58. Each camera is interconnected to each other via wireless link and camera is transferring documents from one place to another place.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

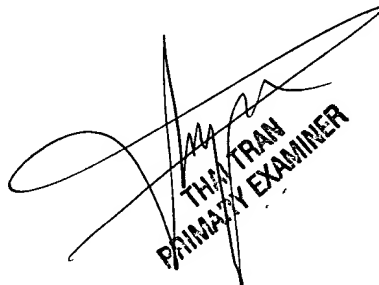
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax

Art Unit: 2621

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NC
05/04/2006


TINA TRAN
PRIMARY EXAMINER